

Docket No.: 056937-0093

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



IFW
17

In re Application of : Customer Number: 20277
Toshio INAJI, et al. : Confirmation Number: 4474
Application No.: 10/670,199 : Group Art Unit: 2651
Filed: September 26, 2003 : Examiner: JASON C. OLSON
For: DISK DRIVE AND DISK DRIVE CONTROL METHOD

Mail Stop FEE Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☒ Also attached: Petition for Extension of Time

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	14	68	0	\$50.00 =	\$0.00
Independent Claims	2	16	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$120.00
					\$0.00
Total of Above Calculations					\$120.00

- ☒ Please charge my Deposit Account No. 500417 in the amount of \$120.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

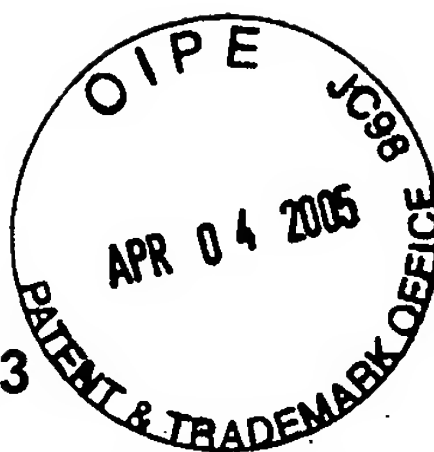
Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:rp
Facsimile: 202.756.8087
Date: April 4, 2005

Please recognize our Customer No. 20277 as our
correspondence address.



Attorney Docket No.: 56937-093

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Toshio INAJI, et al.

Serial No.: 10/670,199

Filed: September 26, 2003

For: DISK DRIVE AND DISK DRIVE CONTROL METHOD

:
: Customer No.20277
:
: Confirmation No.: 4474
:
: Group Art Unit: 2651
: Examiner: JASON C. OLSON
:

ELECTION UNDER 35 U.S.C. § 121
AND PRELIMINARY AMENDMENT

Mail Stop FEE Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 4, 2005, having a shortened statutory period for response set to expire March 4, 2005, a petition for an extension of time up to and including April 4, 2005 being filed concurrently herewith, wherein the Examiner required restriction between the following distinct Species:

- Species I - disclosed on page 42, line 7 through page 57, line 19, figures 1-8B;
- Species II - disclosed on page 57, line 22 through page 60, line 8, figures 9-10B;
- Species III - disclosed on page 60, line 11 through page 63, line 20, figures 11-13;
- Species IV - disclosed on page 63, line 23 through page 68, line 30, figures 14-17;

- Species V - disclosed on page 68, line 34 through page 71, line 22, figures 18-19;
- Species VI - disclosed on page 71, line 25 through page 74, line 25, figures 20-21; and
- Species VII - disclosed on page 74, line 28 through page 77, line 21, figures 22-23.

Applicants elect Species I, with claims 1-8 and 19-24 readable thereon, for initial prosecution on the merits.

Applicants also reserve the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

PRELIMINARY AMENDMENT

Prior to the substantive examination of the above-identified application, please amend the application as follows: